

By: Representative Fleming

To: Transportation

HOUSE BILL NO. 145

1 AN ACT TO AMEND SECTION 63-3-516, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT A PERSON WHO OPERATES A MOTOR VEHICLE WITHIN A
3 HIGHWAY WORK ZONE IN EXCESS OF THE MAXIMUM SPEED LIMIT
4 SPECIFICALLY ESTABLISHED FOR THAT ZONE MAY BE PUNISHED BY A FINE
5 OF DOUBLE THE MAXIMUM AMOUNT OTHERWISE AUTHORIZED BY LAW IF SIGNS
6 OR OTHER TRAFFIC CONTROL DEVICES APPROVED BY THE MISSISSIPPI
7 DEPARTMENT OF TRANSPORTATION ARE POSTED IN THE AREA WARNING THAT
8 WORK IS IN PROGRESS AND THAT A VIOLATION OF THE MAXIMUM SPEED
9 LIMIT POSTED MAY BE PUNISHED SUCH INCREASED FINE; AND FOR RELATED
10 PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 63-3-516, Mississippi Code of 1972, is
13 amended as follows:

14 63-3-516. (1) It shall be unlawful for any person to
15 operate a motor vehicle within a highway work zone at a speed in
16 excess of the maximum speed limit specifically established for the
17 zone whenever workers are present and whenever the zone is
18 indicated by appropriately placed signs displaying the reduced
19 maximum speed limit. Any person violating the provisions of this
20 section shall be punished, upon conviction, by a fine of not more
21 than double the maximum amount of the fine authorized to be
22 imposed under Section 63-9-11.

23 (2) For the purposes of this section the term "highway work
24 zone" means a construction or maintenance area that is located on
25 or along any public highway, road or street within this state and
26 that is marked by * * * signs or other traffic control devices of
27 a design approved by the Mississippi Department of Transportation
28 warning (a) that work is in progress; and (b) that any person who
29 operates a motor vehicle within the designated area at a speed in
30 excess of the reduced maximum speed limit, may be punished by a
31 fine of double the maximum amount otherwise authorized by law.

32 (3) Nothing in this section shall preclude the prosecution
33 or conviction for reckless driving of any motor vehicle operator
34 whose operation of a motor vehicle in a highway work zone, apart
35 from speed, demonstrates a reckless disregard for life, limb or
36 property.

37 **SECTION 2.** This act shall take effect and be in force from
38 and after July 1, 2004.